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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/203,548	12/01/1998	SURYA K. GOLI	PF-0233-1-DI	4355
7590	05/21/2002		EXAMINER	
LUCY J BILLINGS INCYTE PHARMACEUTICALS 3174 PORTER DRIVE LEGAL DEPARTMENT PALO ALTO, CA 94304			ART UNIT	PAPER NUMBER

DATE MAILED: 05/21/2002

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Please find below and/or attached an Office communication concerning this application or proceeding.

BS

Notification of Non-Compliance with 37 CFR 1.192(c)

Application No. 09/203,548	Applicant(s) Goli et al.
Examiner Michael Pak	Art Unit 1646

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

The Appeal Brief filed on Feb 27, 2002 is defective for failure to comply with one or more provisions of 37 CFR 1.192(c). See MPEP § 1206.

To avoid dismissal of the appeal, applicant must file IN TRIPPLICATE a complete new brief in compliance with 37 CFR 1.192(c) within the longest of any of the following three TIME PERIODS: (1) ONE MONTH or THIRTY DAYS from the mailing date of this Notification, whichever is longer; (2) TWO MONTHS from the date of the notice of appeal; or (3) within the period for reply to the action from which this appeal was taken. EXTENSIONS OF THESE TIME PERIODS MAY BE GRANTED UNDER 37 CFR 1.136.

1. The brief does not contain the items required under 37 CFR 1.192(c), or the items are not under the proper heading or in the proper order.
2. The brief does not contain a statement of the status of all claims, pending or cancelled, or does not identify the appealed claims (37 CFR 1.192(c)(3)).
3. At least one amendment has been filed subsequent to the final rejection, and the brief does not contain a statement of the status of each such amendment (37 CFR 1.192(c)(4)).
4. The brief does not contain a concise explanation of the claimed invention, referring to the specification by page and line number and to the drawing, if any, by reference characters (37 CFR 1.192(c)(5)).
5. The brief does not contain a concise statement of the issues presented for review (37 CFR 1.192(c)(6)).
6. A single ground of rejection has been applied to two or more claims in this application, and
 - (a) the brief omits the statement required by 37 CFR 1.192(c)(7) that one or more claims do not stand or fall together, yet presents arguments in support thereof in the argument section of the brief.
 - (b) the brief includes the statement required by 37 CFR 1.192(c)(7) that one or more claims do not stand or fall together, yet does not present arguments in support thereof in the argument section of the brief.
7. The brief does not present an argument under a separate heading for each issue on appeal (37 CFR 1.192(c)(8)).
8. The brief does not contain a correct copy of the appealed claims as an appendix thereto (37 CFR 1.192(c)(9)).
9. Other (including any explanation in support of the above items):

#3 above after final has been entered and indicated in advisory action filed 12-13-01 (Paper No. 20).

#4 above the last paragraph of the summary discusses study of progesterone function which is not referred to in the specification.

The Appeal's Brief has a subsection #6 which subtitled The final rejection which there is no provision in the MPEP for such subsection in the appeal's brief.

Michael D. Pak
MICHAEL PAK
PRIMARY EXAMINER